

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

JAMES BEVAN,

Plaintiff,

v.

COUNTY OF LACKAWANNA,

Defendant.

NO. 3:17-CV-0919

(JUDGE CAPUTO)

ORDER

NOW, this 12th day of December, 2017, **IT IS HEREBY ORDERED** that:

- (1) Defendant County of Lackawanna's Motion to Dismiss (Doc. 7) is **GRANTED in part and denied in part**.
- (2) Plaintiff James Bevan's FMLA interference and denial of leave claims in Counts VIII and IX of the Complaint are **DISMISSED with prejudice**.
- (3) Defendant's motion is **DENIED in all other respects**.
- (4) Defendant shall file an Answer to the Complaint within **twenty-one (21) days** from the date of entry of this Order.

/s/ A. Richard Caputo

A. Richard Caputo
United States District Judge